

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

JIMMY T. BROWN

PETITIONER

v.

No. 3:18CV174-NBB-DAS

WARDEN JOSH DAVIS

RESPONDENT

Consolidated With

JIMMY T. BROWN

PETITIONER

v.

No. 3:20CV75-DMB-RP

WARDEN JOSH DAVIS

RESPONDENT

ORDER HOLDING CASE IN ABEYANCE

In accordance with the memorandum opinion issued today, the instant petition for a writ of *habeas corpus* is **STAYED** and **HELD IN ABEYANCE** to give the petitioner the opportunity to exhaust his state remedies:

- (1) *If he chooses, the petitioner may initiate the process to properly present these claims to the Mississippi Supreme Court within 60 days from the date of this order.*
- (2) The petitioner must file a notice with the court on or before that deadline informing the court whether he intends to seek relief in state court and – if he is pursuing post-conviction relief – the status of the proceedings.
- (3) If the petitioner does not file a timely notice with the court, then the instant case will be dismissed without prejudice for failure to exhaust state remedies.

SO ORDERED, this, the 9th day of July, 2021.

/s/ Neal Biggers

NEAL B. BIGGERS

SENIOR U. S. DISTRICT JUDGE